

1 Alison Berry Wilkinson (SBN 135890)  
2 Messing, Adam, Jasmine & Shore LLP  
3 165 North Redwood Drive, Suite 206  
4 San Rafael, California  
5 Telephone: (415) 266-1822  
6 Facsimile: (877) 259.3762  
7 Email: alison@majlabor.com

8 Attorneys for Defendants  
9 DEVIN EIGARD, GUSTAVO JIMENEZ, and DANIEL HARRIS

10 UNITED STATES DISTRICT COURT  
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 TRENT ALLEN, et al.,

13 Plaintiffs,

14 vs.

15 CITY OF ANTIOCH, et al.

16 Defendants.

Case No. 3:23-cv-01895-VC

STIPULATION AND ~~PROPOSED~~ ORDER  
DISMISSING DEFENDANT DANIEL  
HARRIS, WITH PREJUDICE

Hon. Vince Chhabria

17 Counsel for Plaintiff ARON TYSON, and Counsel for Defendant DANIEL HARRIS,  
18 respectfully submit the following stipulation and proposed order to dismiss all claims against  
19 Defendant HARRIS, with prejudice.

20 WHEREAS Defendant HARRIS first appeared as a named defendant in the First Amended  
21 Consolidated Complaint for Damages (ECF 112), and has continued as a named defendant in each  
22 subsequent amended complaint (ECF 213 [Second Amended Consolidated Complaint For Damages];  
23 ECF 225 [Third Amended Consolidated Complaint For Damages]; and ECF 315 [Fourth Amended  
24 Consolidated Complaint for Damages]) but has never been formally served;

25 WHEREAS upon Defendant HARRIS's counsel being informally provided a copy of the  
26 Fourth Amended Consolidated Complaint for Damages (ECF 225) by Defendant CITY OF  
27 ANTIOCH, she appeared on his behalf in this action (ECF 346) but has not waived service of process;

1 WHEREAS Defendant HARRIS is a named defendant only with regard to the causes of action  
2 brought by Plaintiff ARON TYSON;

3 WHEREAS all claims made by Plaintiff TYSON against all defendants were settled on  
4 February 20, 2025;

5 WHEREAS Plaintiff TYSON signed the Settlement Agreement and General Release of All  
6 Claims on February 24, 2025;

7 THE PARTIES HEREBY STIPULATE to dismiss ARON TYSON's claims against  
8 Defendant DANIEL HARRIS with prejudice, with all parties bearing their own fees and costs.

9 Dated: April 7, 2025

Respectfully submitted,

10 BURRIS NISENBAUM CURRY & LACY LLP

11 By /s/ Benjamin Nisenbaum

12 Benjamin Nisenbaum

13 John L. Burris

14 James Cook

Katherine MacElhiney

Attorneys for Plaintiffs excluding Pugh

16 Dated: April 7, 2025

Respectfully submitted,

17 Messing, Adam, Jasmine & Shore LLP

18 By /s/ Alison Berry Wilkinson

19 ALISON BERRY WILKINSON

Attorneys for Defendants EIGARD, HARRIS, and JIMENEZ

21 ~~PROPOSED~~ ORDER

22 IT IS HEREBY ORDERED THAT Defendant DANIEL HARRIS is hereby dismissed from  
23 this entire action, with prejudice, with each party to bear their own costs and attorneys' fees.  
24

26 Dated: April 9, 2025

27   
Hon. Vince Chhabria

United States District Court Judge